

HOUSE JOURNAL
OF THE
REGULAR SESSION
OF THE
TWENTY-EIGHTH LEGISLATURE.

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"An Act to amend Article 4223, Title LXXXVIII, of the Revised Civil Statutes of Texas, relating to public printing,"

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass as amended.

DAVIS of San Augustine, Chairman.

Committee Room,

Austin, Texas, January 24, 1903.

Hon. Pat M. Neff, Speaker of the House of Representatives.

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 118, A bill to be entitled "An Act to create road systems for Lamar county; authorizing the commissioners court to employ road superintendents and laborers on the public roads; power to condemn land for opening and establishing public roads,"

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

ROWLAND, Chairman.

Committee Room,

Austin, Texas, January 23, 1903.

Hon. Pat M. Neff, Speaker of the House of Representatives.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 36, A bill to be entitled "An Act to amend Article 5080, Chapter 2, Title CIV, of the Revised Civil Statutes of the State of Texas, by adding a new article, to be known as Article 5080a, relating to the assessment of the surplus and undivided profits of banks, and prescribing a penalty for failure to do so,"

And find the same correctly engrossed.

ISAACKS, Chairman.

APPENDIX B.

RULES OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-EIGHTH LEGISLATURE, ADOPTED BY THE HOUSE JANUARY 24, 1903.

(Printed in the Journal by order of the House.)

RULE I.

DUTIES AND RIGHTS OF THE SPEAKER.

1. The Speaker shall take the chair on every legislative day precisely at the hour to which the House shall have ad-

joined at its last sitting, immediately call the members to order, and ascertain the presence of a quorum by a roll call of the members of the House.

2. He shall preserve order and decorum, and, in case of disturbance or disorderly conduct in the galleries or in the lobby, may cause the same to be cleared.

3. He shall have general control, except as provided by law, of the hall of the House and its lobby and galleries, and of the corridors and passages and unappropriated rooms in that part of the Capitol assigned to the use of the House.

4. He shall lay before the House its business in the order indicated by the rules, and shall receive propositions made by members and put them to the House; and shall enforce the rules of the House and the legislative rules prescribed in the Constitution.

5. He shall rise to put a question, but may state it sitting; and he shall put questions distinctly in this form, to-wit: "As many as are in favor of (as the question may be) say Aye"; and after the affirmative voice is expressed, "As many as are opposed, say No." If the Speaker be in doubt as to the result, or if a division be called for, the House shall divide; those in the affirmative of the question shall rise from their seats and remain standing until the Clerk has numbered them and the number has been announced by the Speaker; those who vote in the negative are then requested to rise, and they are numbered and the number announced. The yeas and nays may be called for before the decision of the Speaker is announced.

6. He shall not be required to vote in ordinary legislative proceedings, except where his vote would be decisive, or where the House is engaged in voting by ballot; and in all cases of a tie vote the question shall be lost.

7. He shall decide all questions of order, subject to an appeal to the House made by any two members, on which appeal no member shall speak more than once, unless by leave of the House. Pending an appeal, no motion shall be in order except to adjourn, to lay on the table, for the previous question and the call of the House.

8. He shall examine, correct and approve the journal of each day's proceedings before the same shall be printed.

9. All committees and the chairmen of the same shall be appointed by the Speaker, unless otherwise specially directed by the House. in which case they shall be elected; and if, upon such vote, the number required shall not be elected

by a majority of the votes given, the House shall proceed to a second vote, in which a plurality shall prevail; and in case a greater number than that required to compose or complete a committee shall have an equal number of votes, the House shall take another vote.

10. All acts, addresses and joint resolutions shall be signed by the Speaker, as required by the Constitution; and all writs, warrants and subpoenas issued by order of the House shall be under his hand and attested by the Chief Clerk or the acting Chief Clerk.

11. The Speaker shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment. Whenever the Speaker shall be absent at any hour to which the House has adjourned, it shall be the duty of the Chief Clerk to call the House to order and have the roll called, and if a quorum be present, the House shall proceed to elect a Speaker pro tempore, who shall discharge the duties of the Speaker of the House of Representatives, and have the same rights, during the absence of the Speaker.

RULE II.

ELECTION AND COMPENSATION OF OFFICERS.

All officers of the House shall be elected by ballot, and shall receive such compensation as the House may determine; and after their salary has been fixed, no further or extra compensation shall be allowed them.

RULE III.

DUTIES OF THE SERGEANT-AT-ARMS.

1. It shall be the duty of the Sergeant-at-Arms to attend the House and the Committee of the Whole during their sittings, and to maintain order under the direction of the Speaker or chairman, and, pending the election of a Speaker pro tempore, under the direction of the Chief Clerk.

2. He shall have charge, under the Speaker, of the hall of the House, its lobby and galleries, and all other rooms in the Capitol assigned to the use of the House, and shall keep the same in order.

3. He shall execute the commands of the House from time to time, and all writs and process issued by authority thereof, directed to him by the Speaker.

4. He shall procure and keep, for the use of the members and officers of the House, such stationery and stationer's supplies as may be necessary for the transaction of the business of the House;

and he shall keep his office open daily (except Sundays) from 8 o'clock a. m. until one hour after the adjournment of the House.

5. The Assistant Sergeant-at-Arms, if any, shall assist the Sergeant-at-Arms in the performance of his duties, and, subject to his control and to that of the Speaker, shall have the same powers.

RULE IV.

DUTIES OF THE CLERKS.

1. The Chief Clerk shall have general charge and supervision, under the direction of the Speaker, over the secretarial work of the House, and, pending the election of a Speaker pro tempore, he shall call the House to order, preserve order and decorum, and decide all questions of order subject to appeal to the House. He shall attest all writs, warrants and subpoenas issued by order of the House, and shall certify to the passage of bills and joint resolutions, noting at the foot thereof the date of its passage and the vote by which it passed, if by a yea and nay vote.

2. The Calendar Clerk shall keep the calendars of the House, so as to show the action had on, and present status of, all bills and resolutions, and shall have charge of their printing, when authorized by the rules or by vote of the House. The Speaker may assign the Calendar Clerk to other clerical work of the House or its committees.

3. The Journal Clerk and Assistant Journal Clerk, if any, under his direction, shall keep a journal of the proceedings of the House, in which such proceedings, when not acting in Committee of the Whole, shall be entered as concisely and accurately as possible. In this journal there shall be entered the number and caption of every bill introduced, and a brief statement of the substance of every bill, joint resolution, petition, memorial or other paper presented to the House. All simple and concurrent resolutions, motions, committee reports and amendments, and all questions of order, with the decisions thereon, and messages from the Governor and Senate, shall be entered in full. Every vote of the House shall also be entered on the Journal, with a concise statement of the question and of the result.

The Journal, as made up each day, shall be submitted to the Speaker for his examination, correction and approval, and when approved by him shall be printed, under the supervision of the Journal Clerk, and copies thereof laid upon the desk of each member on the succeeding day; but it need not be read.

unless upon motion therefor by a majority vote.

4. The Engrossing Clerk shall write out in a fair, legible hand, without erasures, interlineations, or additions in the margin, all bills and joint resolutions that have passed their second reading and have been ordered to be engrossed. He shall submit his work to the Committee on Engrossed Bills before the same is returned to the House, for their examination, correction and approval, and he shall perform such other clerical work for the House or its committees as he may be assigned to by the Speaker.

5. The Enrolling Clerk shall similarly enroll all House bills and joint resolutions that have passed both houses, writing them out in a fair, legible hand, without erasures, interlineations or additions in the margin. After they have been examined by the Committee on Enrolled Bills and found truly enrolled they shall be reported to the House for the signature of the Speaker and transmission to the Senate. The Enrolling Clerk may be assigned by the Speaker to perform other clerical work for the House or its committees.

6. The Reading Clerk, and his assistant, if any, shall call all rolls of the House in the alphabetical order of the names of the members, and shall read aloud all bills, resolutions, motions and other written matter, required by the rules, or directed by the Speaker, to be read. They shall remain standing while reading or calling the roll. In the event of the absence, resignation or death of the Chief Clerk, the Reading Clerk shall take charge of and attend to all the duties of the office, until the Chief Clerk returns or his successor is elected.

RULE V.

DUTIES OF THE DOORKEEPER.

The Doorkeeper shall enforce strictly the rules relating to the privileges of the Hall, and, when the House is under call, shall permit no member to leave the Hall without written permission from the Speaker. Fifteen minutes before the hour of the meeting of the House each day he shall see that the floor is cleared of all persons except those privileged to remain, and kept so until ten minutes after adjournment.

RULE VI.

DUTIES OF THE POSTMASTER.

The Postmaster shall superintend the postoffice kept in the Capitol for the accommodation of Representatives and officers of the House and be held responsible

for the prompt and safe delivery of their mail.

RULE VII.

DUTIES OF THE CHAPLAIN.

The Chaplain shall attend at the commencement of each day's sitting of the House and open the same with prayer.

RULE VIII.

OF COMMITTEES.

Unless otherwise ordered by the House, the Speaker shall appoint the following committees, consisting of the number designated, and no addition shall be made to any committee after it has been formed, except upon the suggestion of the chairman thereof and by a majority of the House, and all proposed legislation shall be referred to the appropriate committees named in this rule.

1. Judiciary No. 1, 19 members.
2. Judiciary No. 2, 19 members.
3. Constitutional Amendments, 18 members.
4. Internal Improvements, 18 members.
5. State Affairs, 22 members.
6. Finance, 21 members.
7. Education, 19 members.
8. Revenue and Taxation, 18 members.
9. Public Lands and Land Office, 22 members.
10. Public Health and Vital Statistics, 11 members.
11. Commerce and Manufactures, 13 members.
12. County Government and County Finances, 17 members.
13. Privileges, Suffrage and Elections, 15 members.
14. Public Printing, 11 members.
15. Public Buildings and Grounds, 17 members.
16. Roads, Bridges and Ferries, 24 members.
17. Claims and Accounts, 10 members.
18. Examination of Comptroller's and Treasurer's Accounts, 7 members.
19. Private Land Claims, 9 members.
20. Engrossed Bills, 5 members.
21. Enrolled Bills, 5 members.
22. Contingent Expenses, 8 members.
23. Rules (Speaker ex-officio chairman), 5 members.
24. Agricultural Affairs, 19 members.
25. Public Debt, 9 members.
26. State Asylums, 19 members.
27. Judicial Districts, 19 members.

28. Insurance, Statistics and History, 12 members.
29. Federal Relations, 10 members.
30. Stock and Stock Raising, 17 members.
31. Counties and County Boundaries, 14 members.
32. Penitentiaries, 24 members.
33. Military Affairs, 9 members.
34. Towns and City Corporations, 14 members.
35. Mining and Minerals, 13 members.
36. Irrigation, 14 members.
37. Labor, 10 members.
38. Railroad Commission, 18 members.

RULE IX.

ORGANIZATION, POWERS AND DUTIES OF COMMITTEES.

1. As soon as practicable after their appointment, it shall be the duty of the Chairman, or Chairman pro tem. (towit: the first named member after the Chairman), of the different committees to notify the Speaker, in writing, of the time fixed for the meeting of their respective committees, which information the Speaker shall cause to be posted in a conspicuous place in the hall as soon as practicable.

2. If after due notification the members of any committee fail to meet at the time and place designated, and it shall be evident that such absentees are wilfully absent for the purpose of impeding the action of the committee, the Chairman shall report such matter to the House, and such committeemen shall be subject to reprimand, or removal from such committee, as a majority of the members present shall decide.

3. No committee shall sit during the time the House is in session without special leave first being granted.

4. A majority of a committee shall constitute a quorum for business, and no report shall be made to the House unless ordered by a majority of such quorum. The views of the minority may be submitted in writing by any member of the committee.

5. Bills, resolutions and other papers referred to committees shall be taken up and acted upon by the committees in the order in which they were referred, and shall be reported back to the House within ten (10) days from the date of their respective reference, unless the House shall grant a committee additional time for the consideration of a paper referred to it.

6. The reports of standing and select committees shall be filed with the Chief Clerk, and printed in the Journal.

7. The Committee on Engrossed Bills, in addition to their duties as such, are also the Committee on Style, and it shall be their duty to see that all bills passed by the House are correct in style, orthography, punctuation, and in whatever else it is within the province of the committee to correct.

8. It shall be in order for the Committee on Engrossed Bills, Enrolled Bills and the Committee on Rules to report at any time.

9. Reports of committees are advisory only. When the report is made, the proposition, bill or resolution recommended or reported back shall be before the House for its consideration without action upon the report.

RULE X.

QUESTIONS OF PRIVILEGE.

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members individually in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn.

RULE XI.

DECORUM AND DEBATE.

1. When any member desires to speak or deliver any matter to the House, he shall rise and respectfully address himself to "Mr. Speaker," and, on being recognized, may address the House from any place on the floor or from the clerk's desk, and shall confine himself to the question under debate, avoiding personality.

2. When two or more members happen to rise at once, the Speaker shall name the one who is first to speak, and his decision shall be final and not open to debate or appeal.

3. The mover of any proposition, or the member reporting any measure from a committee, as the case may be, or in case of the absence of either of them, then any other member designated by such absentee, shall have the right of opening and closing debate thereon, and for this purpose may speak each time not to exceed half an hour.

4. No member shall speak more than twice on the same question, without leave of the House, nor more than once until every member choosing to speak shall have spoken; nor shall any member be permitted to consume the time of another member without the consent of the House.

5. If a pending question is not dis-

posed of, owing to an adjournment of the House, no member who has spoken twice on the subject shall be allowed to speak again without leave.

6. All speeches are limited to fifteen minutes in duration, except as provided in Section 3 of this rule, and the Speaker shall call the members to order at the expiration of their time.

7. If any member, in speaking or otherwise, transgresses the rules of the House, the Speaker shall, or any member may, call him to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide on the case, but without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if the decision be against him, and the case requires it, he shall be liable to the censure of the House or such other punishment as the House may deem proper.

8. While the Speaker is putting a question or addressing the House, no member shall walk out or across the hall, nor, when a member is speaking, pass between him and the chair; and, during the session of the House, no member shall wear his hat nor smoke upon the floor of the House.

9. When the reading of a paper is called for, and the same is objected to by any member, the House shall determine whether said paper shall be read or not.

RULE XII.

OF VOTING.

1. Any member who has a personal or private interest in any measure or bill, proposed or pending before the House shall disclose the fact, and shall not vote thereon.

2. No member shall be permitted to vote in any case, whether upon division or roll call, when he was not within the bar of the House, when the question was put; and if his vote be challenged on that ground, or if he ask leave to vote, the Speaker shall ask him whether he was within the bar of the House when the question was put; and, if he answers in the affirmative, he shall be permitted to vote.

3. In order to be entitled to vote, and to be within the bar of the House, a member must be on the floor of the hall and within the walls enclosing the same, and not outside of any of the doors leading out of the hall, and he must vote from his seat.

4. Every member who is in the House when the question is put shall give his vote, unless the House, for reasons assigned, shall excuse him; and any mem-

ber who is present and shall fail and refuse to vote, after being requested so to do by the Speaker, shall be recorded as present, but not voting, and shall be counted for the purpose of making a quorum.

5. No member shall be allowed to make any explanation of a vote he is about to give, or ask to be excused from voting, after the Clerk, under order of the House, shall have commenced calling the yeas and nays.

6. The yeas and nays of the members of the House on any question shall, at the desire of any three members present, be called and entered on the Journal.

7. While the yeas and nays are being called, or votes are being counted, no member shall visit the Clerk's table or leave his seat.

8. On the demand of any member, before the question is put, the question shall be divided if it includes propositions so distinct in substance that one being taken away a substantive proposition remain.

9. All pairs must be announced when the roll is called, and a written statement thereof sent to the Clerk. Such pairs shall be entered on the Journal, and the member present shall be counted to make a quorum.

RULE XIII.

OF MOTIONS.

1. Every motion made to the House and entertained by the Speaker, shall be reduced to writing on the demand of any member, and shall be entered on the Journal with the name of the member making it, unless it is withdrawn the same day.

2. When a motion has been made, the Speaker shall state it or (if it be in writing) cause it to be read aloud by the Clerk before being debated, and it shall then be in possession of the House, but may be withdrawn at any time before a decision or amendment.

3. When a question is under debate, no motion shall be received but

(1) To fix the day to which the House shall adjourn;

(2) To adjourn;

(3) To take a recess;

(4) To lay on the table;

(5) For the previous question;

(6) To postpone to a day certain;

(7) To commit;

(8) To amend; or,

(9) To postpone indefinitely.

Which several motions shall have precedence in the above order. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and if carried shall be considered

as equivalent to the rejection of the bill.

4. A motion to adjourn, except as hereinafter provided in Rule XIV, Section 6, and a motion to fix the day to which the House shall adjourn, shall always be in order.

5. When motions are made for the reference of a subject to a select or standing committee, the question for the reference to a standing committee shall be put first.

6. No motion to postpone to a day certain, to commit or to postpone indefinitely, being decided, shall be again allowed on the same day at the same stage of the bill or proposition.

7. The motion to lay upon the table, if carried, shall have the effect of killing the bill, resolution, amendment or other immediate proposition tabled. It shall not be debatable, but the mover of the proposition proposed to be tabled or the member reporting it from a committee, shall be allowed to close the debate thereon after the motion to table is made and before it is put. The vote by which the motion to table is carried or lost, cannot be reconsidered.

8. A bill or proposition postponed to a day certain shall be laid before the House at the time to which it was postponed, unless other business be then pending, in which case its consideration shall be deferred until the pending business is disposed of, without other prejudice to its right or priority.

9. The following motions shall be decided without debate:

1. To adjourn.
2. To fix the day to which the House shall adjourn.
3. To lay on the table.
4. That a proposition lie upon the table, subject to call.
5. For the previous question.
6. To suspend the regular order of business and take up some measure out of its order; but the mover may be allowed to state briefly the nature and purpose of the measure.
7. To suspend the constitutional rule requiring bills to be read on three several days.

RULE XIV.

OF THE PREVIOUS QUESTION.

1. There shall be a motion for the previous question, which shall be admitted only when seconded by twenty-five (25) members. It shall be put by the Chair in this manner:

"The motion has been seconded. As many as are in favor of ordering the previous question on (here state on what question or questions) will say

aye," and then "As many as are opposed, say No." If ordered by a majority of the members voting, a quorum being present, it shall have the effect of cutting off all debate and bringing the House to a direct vote upon the immediate question or questions upon which it has been asked and ordered.

2. The previous question may be asked and ordered upon any debatable single motion, or series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized debatable motions or amendments and include the bill or resolution to its passage or rejection. It may be applied to motions to postpone to a day certain, or indefinitely, or to commit, and cannot be laid upon the table.

3. On the motion for the previous question there shall be no debate; and all incidental questions of order after it is made, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

4. After the previous question has been ordered, there shall be no debate upon the questions on which it has been ordered, or upon incidental questions, except only that the mover of the proposition, or the member making the report from the committee, as the case may be, or, in case of the absence of either of them, any other member designated by such absentee, shall have the right to close the debate, after which a vote shall be immediately taken on the amendments, if any there were, and then on the main question.

5. When the previous question is ordered upon a motion to postpone indefinitely, or to amend by striking out the enacting clause of a bill, the mover of the proposition or bill proposed to be so postponed or amended, or the member reporting the same from a committee, shall have the right to close the debate on the original proposition, after which the member moving to postpone or amend shall be allowed to close the debate on his motion or amendment.

6. No motion for an adjournment or recess shall be in order after the previous question is seconded, until the final vote upon the main question shall be taken, unless the roll call shows the absence of a quorum.

7. A call of the House may be moved after the previous question has been ordered.

RULE XV.

OF RECONSIDERATION.

1. When a motion has been made, and carried or lost, or an amendment, resolution or bill voted upon, it shall be

in order for any member of the prevailing side to move for a reconsideration thereof, on the same day or the next sitting day, before the order of the day is taken up.

2. If such motion for a reconsideration be not disposed of when made, it shall be spread upon the Journal, and cannot, after that legislative day, be called up and disposed of, unless one day's notice shall be given. But all such motions made during the last three days of the session shall be disposed of when made.

3. When a motion for a reconsideration has once been made, it cannot be withdrawn, but may be called up by any member.

4. Unless sooner called up and disposed of, all motions for the reconsideration of votes upon amendments, or other incidental matters, shall be regarded as determined and lost, upon the final vote upon the main question.

RULE XVI.

OF ROLL CALLS AND CALLS OF THE HOUSE.

1. Upon every roll call, the names of the members shall be called alphabetically by surname, except when two or more have the same surname, in which case the name of the county shall be added.

2. When a call of the House is moved, and seconded by fifteen members (of whom the Speaker may be one), the Doorkeeper shall close the main entrance of the Hall, and all other doors leading out of the Hall shall be locked, and no member shall be permitted to leave the House, without written permission of the Speaker, until after the subject matter upon which the call was ordered shall have been disposed of. The Clerk shall call the roll of the members, and note the absentees; and those for whom no sufficient excuse is made may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by the Sergeant-at-Arms or officers appointed by him for that purpose, and their attendance secured and retained; and the House shall determine upon what condition they shall be discharged. Members who voluntarily appear shall, unless the House otherwise direct, be immediately admitted to the Hall of the House, and they shall report their names to the Clerk to be entered upon the Journal as present. Until a quorum appears, should the roll call fail to show one present, no business shall be done except to compel the attendance of absent members or to adjourn.

Whenever a quorum is shown to be

present, the House may proceed with the matters on which the call was ordered, or may enforce, and await, the attendance of the absentees.

RULE XVII.

OF SIMPLE AND CONCURRENT RESOLUTIONS.

1. When resolutions are called for, the member offering a resolution shall rise in his place and say: "Mr. Speaker, I offer the following resolution." The Speaker shall then say: "The gentleman from ——— offers the following resolution. The resolution will be read." As soon as the Clerk shall have read the same, the Speaker shall say: "What order will the House take on the resolution?" If the second reading of the resolution is called for, the Speaker shall say: "Second reading of the resolution is called for. If there is no objection the resolution will be read a second time." If objection be made to the second reading, it shall be in order for any member to move for the second reading, and if the motion be carried, the resolution shall be read again, and it will then be before the House for amendment, adoption or rejection or other action. If the second reading is not moved, the resolution shall be over until the following day, when it will come up as business on the Speaker's table.

2. Concurrent resolutions shall take the same course as simple resolutions, and shall be numbered in regular order.

3. Resolutions may be filed with the Chief Clerk, after the opening of the session of the House; and when resolutions are called for, all resolutions so filed shall be taken up in the order filed and disposed of before the Speaker shall permit members to offer resolutions from the floor of the House.

RULE XVIII.

JOINT RESOLUTIONS.

All amendments proposed to the Constitution shall take the form of a joint resolution, which shall be subject to the rules that govern the proceedings in bills, except that they shall, in all cases, be read on three several days, and shall only be passed by a vote of two-thirds of the members elect to the House. (Constitution, Article XVII, Section 1.) When a proposed amendment to the Constitution is under consideration the votes of a majority of the members present shall be sufficient to decide an amendment thereto, or any collateral or incidental question thereto short of the final question.

RULE XIX.

OF BILLS.

1. Proposed laws or changes in laws must be incorporated in bills, which shall consist of a title or caption, beginning with the words: "A bill to be entitled An Act to," and containing a brief statement of the object of the proposed measure, and of the bill proper beginning with the enacting clause: "Be it enacted by the Legislature of the State of Texas," and stating at large the measure proposed; and if the bill proposes to amend an existing law, it shall be accompanied by a brief statement of the proposed change in the existing law.

2. No bill (except general appropriation bills, which may embrace the various subjects and accounts for and on account of which moneys are appropriated) shall contain more than one subject, which shall be expressed in its title.

3. No law shall be revived or amended by reference to its title; but in such case the act revived or the section or sections amended shall be re-enacted and published at length.

4. Bills shall be introduced in the same manner as resolutions, and with the same order of precedence. Each bill shall be numbered in its regular order; and when bills are called for by the Speaker, first those filed with the Chief Clerk, and then those introduced from the floor, shall be read the first time by caption and referred to the proper committee.

5. No bill shall be considered or tabled, unless it has been first referred to a committee and reported therefrom; and no bill shall be passed which has not been presented and referred to and reported from a committee at least three days before the final adjournment of the Legislature.

6. All bills before the House on their third and second reading, respectively, shall be taken up and acted upon in the order in which they are numbered. But local bills alone shall be considered on Saturday of each week until disposed of, and upon no other day; and on Thursday of each week, only, Senate bills, on their third and second readings, respectively, shall be taken up and considered until disposed of, and in case one should be pending at adjournment, it shall go over to the succeeding day (Friday) as the unfinished business.

7. All bills, when reported favorably by a committee, shall be printed and a copy laid on the desk of each member before the bill is acted on by the House. All other bills, resolutions, reports, memorials and petitions shall be printed on the order of the House.

8. After a bill has been taken up and read, amendments thereto shall be in order, those recommended by the committee or its minority being first considered, if called up. If no amendment is made, or if those proposed are adopted, then the final question upon its second reading shall be, in the case of a House bill, whether it shall be engrossed, or, in the case of a Senate bill, whether it shall pass to its third reading; and all bills ordered engrossed or passed to a third reading shall go on the calendar in their regular course.

9. No bill shall have the force of law until it has been read on three several days in each House, and free discussion allowed thereon; but in case of imperative public necessity (which necessity shall be stated in a preamble or in the body of the bill), four-fifths of the House may suspend this rule, the yeas and nays being taken on the question of suspension, and entered upon the Journal. By four-fifths of the House is here meant four-fifths of all the members elected.

10. When a bill has been taken up on its third reading, amendments thereto shall be in order, but shall require a two-thirds vote of the members present for their adoption; or the bill may be committed and reported to the House with amendments, in which case it shall take the course of a bill at its second reading, unless the amendments were made in the Committee of the Whole, in which case the House shall immediately proceed to act on the bill; but when a bill has been committed once at any reading, it shall not be in order to recommit it again more than once, unless for some special amendment proposed, and then only by consent of two-thirds present. After all amendments have been disposed of, the question shall be upon the final passage of the bill.

11. When a bill shall pass, it shall be certified by the Chief Clerk, noting the day of its passage at the foot thereof, and the vote by which it passed, if by a yeas and nays vote.

12. No law passed by the Legislature, except the general appropriation act, shall take effect or go into force until ninety days after the adjournment of the session at which it was enacted, unless, in case of an emergency, which emergency must be expressed in a preamble or in the body of the act, the Legislature shall, by a vote of two-thirds of all the members elected to each House, otherwise direct; said vote to be taken by yeas and nays, and entered upon the Journals.

13. After a bill has been considered

and defeated by either house of the Legislature, no bill containing the same substance shall be passed into a law during the same session. After a resolution has been acted on and defeated, no resolution containing the same substance shall be considered at the same session.

RULE XX.

OF AMENDMENTS.

1. When a bill, resolution, motion or proposition is under consideration a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute.

2. A motion to strike out and insert new matter in lieu of that to be stricken out shall be regarded as a substitute, and shall be indivisible.

3. Amendments to the caption of a bill or resolution shall not be in order, until all other proposed amendments shall have been acted upon and the House be ready to vote upon the passing of the measure; and the same shall be decided without debate.

4. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment, or as a substitute for the motion or proposition under debate.

RULE XXI.

OF COMMITTEES OF THE WHOLE HOUSE.

1. No appropriation of money shall be made except by bill, and when a bill appropriating money shall be reached or taken up, it shall be in order to move that the House resolve itself into the Committee of the Whole House for the purpose of considering such bill.

2. In forming a Committee of the Whole House, the Speaker shall leave his chair, and a chairman to preside in committee shall be appointed by the Speaker.

3. Upon bills committed to a Committee of the Whole House the bill shall first be read throughout by the Clerk, and then again be read and debated by clauses, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined, but all amendments, noting the page or line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by a committee, and so reported to the House. After report the bill shall again be subject to be debated and amended by clauses before a vote be taken on the question of engrossment.

4. All amendments made to an original motion in Committee of the Whole

shall be incorporated with the motion and so reported.

5. In the event that the Committee, of the Whole, at any sitting, shall, for want of time, fail to complete the amendments proposed on any bill or resolution under their consideration, or desire to postpone the consideration thereof, it may, on motion made at any time in the committee, rise, report progress and have leave to sit again generally, or at a day certain.

6. All amendments made to a report committed to the Committee of the Whole House shall be noted and reported, as in the case of bills.

7. No motion or proposition for a tax or charge upon the people shall be discussed the day on which it was made or offered.

8. No sum or quantum of tax or duty voted by a Committee of the Whole House shall be increased in the House until the motion or proposition for such increase shall first be discussed and voted in a Committee of the Whole House, and so in respect to the time of its continuance.

9. All proceedings touching appropriations of money shall be discussed in the Committee of the Whole House.

10. The rules of proceeding in the House shall be observed in Committee so far as they may be applicable.

RULE XXII.

OF THE ORDER OF BUSINESS.

1. The daily order of business shall be as follows:

First. Prayer by the Chaplain.

Second. Excuses for absence of members and officers.

Third. First reading of bills filed with the Chief Clerk, and introduction of bills from the floor and their first reading, and reference of bills to committees.

Fourth. Requests to print bills and other papers; requests of committees for further time to consider papers referred to them, and all other routine motions and business not otherwise provided for, all of which shall be undebatable; but the mover may be allowed to state briefly the nature and purpose of the measure.

Fifth. Resolutions filed with the Chief Clerk and resolutions offered from the floor, for half an hour, if not sooner disposed of.

Sixth. The unfinished business, to be considered until finally disposed of.

Seventh. Disposal of business on the Speaker's table, as follows:

(1) Resolutions lying over from the

previous day, and Senate concurrent resolutions.

(2) Reports of conference committees.

(3) Senate amendments to House bills and resolutions, requests of the Senate for a conference, and all matters of disagreement, amendments and requests between the two houses.

(4) Reports of standing and special committees.

(5) Bills on their third reading.

(6) Bills on their second reading.

2. Special orders shall always have precedence, when the hour for considering the same has arrived, except as provided in Rule XXIV.

3. All questions relating to the priority of business shall be decided by a majority, without debate.

RULE XXIII.

SUSPENSION OF THE RULES AND ORDER OF BUSINESS AND SPECIAL ORDERS.

1. No standing rule or order of the House shall be suspended, except by an affirmative vote of two-thirds of the members present; nor shall any other business be considered on days devoted by these rules to and used in the consideration of Senate and local bills, except by unanimous consent.

2. The Speaker shall not entertain a motion to suspend the order of business established by the rules for the purpose of taking up or considering any bill, resolution or other measure out of its regular order, except on Monday of each week and during the six last days of the session. Such a motion must be seconded by not less than twenty-five members, before being submitted to the House, and is carried by an affirmative vote of two-thirds of the members present. Any measure so taken up under suspension and not disposed of on the same day shall go over as the unfinished business to the next sitting day of the House, and thereafter from day to day (except Saturdays and days devoted to and used in the consideration of Senate bills) until disposed of, but a motion to suspend left pending and undisposed of on one suspension day goes over to the next suspension day as the pending business of that day.

3. Any bill, resolution or other measure may on any day be made a special order for a future day of the session by an affirmative vote of two-thirds of the members present, and when once established as a special order, shall be considered from day to day (except only Saturday) until disposed of; and until it shall have been disposed of, no further special orders shall be made.

RULE XXIV.

OF COMMUNICATIONS FROM THE EXECUTIVE AND SENATE, CONFERENCE REPORTS, ETC.

1. Messages and communications from the Governor shall be received when announced, and at once referred to the appropriate committee without debate.

2. All messages from the Senate shall be received when announced; Senate bills announced as passed shall at once be read and referred to their appropriate committees, and Senate concurrent resolutions shall go to the Speaker's table.

3. Messages from the Senate announcing amendments to House bills and resolutions, non-concurrence in House amendments to Senate bills and resolutions, and requests for conferences, as also all reports of conference committees and all matters of disagreement, amendments and requests between the two houses, shall go to the Speaker's table in their regular order, but they may be called up for action of the House at any time, except as against a motion to adjourn or to fix the day to which the House shall adjourn.

RULE XXV.

OF PETITIONS AND MEMORIALS.

All petitions and memorials shall be filed with the Chief Clerk, and referred to committees in accordance with the endorsement of the member offering the same.

RULE XXVI.

OF ABSENTEES.

1. No member shall absent himself from the sittings of the House without leave, unless in case of sickness. Should any member absent himself without leave for the purpose of impeding the action of the House, such member may be expelled; provided, that before action is taken hereunder the matter shall be referred to the Committee on Privileges, Suffrage and Elections for investigation and report. It shall require a two-thirds vote of the members present to excuse absentees, and no member shall be excused upon his own motion.

2. The names of absentees shall appear upon the journals.

RULE XXVII.

OF WITNESSES.

The rules for paying witnesses summoned to appear before the House, or any of its committees, shall be as follows: For each day a witness shall at-

tend, the sum of two dollars; and for coming to or going from the place of examination he shall receive actual and necessary expenses, and two dollars for each day which is necessarily consumed in going to and returning from said place of examination; but nothing shall be paid for traveling home when the witness was at the place of trial when summoned. The certificate of the chairman of the committee before which a witness is summoned, of the amount due such witness, shall be sufficient authority for the same to be paid.

RULE XXVIII.

OF ADMISSION TO THE HOUSE.

1. No person shall be admitted upon the floor of the House but members of the Senate, officers of the general State government, the heads of departments, ex-members of the Legislature of this State, and ladies and gentlemen upon the invitation of members.

2. Reporters shall be assigned appropriate and convenient seats in the House, by direction of the Speaker.

RULE XXIX.

AMENDMENTS TO THE RULES.

No standing rule or order of the House shall be rescinded or changed except by an affirmative vote of two-thirds of the members present. All propositions to rescind any rule or order shall be by resolution, to be at once referred without debate to the Committee on Rules, and reported therefrom within three days.

RULE XXX.

WHEN RULES ARE SILENT.

On any question of order or parliamentary practice, where these rules are silent or inexplicit, Jefferson's Manual, and the Digest of the Rules and Practice of the United States House of Representatives shall be considered as authority.

ELEVENTH DAY.

Hall of the House of Representatives,
Austin, Texas,
Monday, January 26, 1903.

The House met at 10 o'clock a. m., pursuant to adjournment.

Speaker Neff in the chair.

Roll called, and the following members present:

Adair.	Bean.
Alderdice.	Beaty.
Baines.	Bennett.
Barrett.	Bolin.

Boyd.	Moran.
Brelsford.	Murray of Burleson.
Brown of Falls.	Murray of Wilson.
Brown of Kaufman.	Murrell.
Browne of Karnes.	Napier.
Bryan.	Nelms.
Bryant.	Nowlin.
Callan.	O'Quinn.
Calvin.	Peeler.
Chesley.	Perry.
Cobbs.	Pearson of Burnet.
Connally.	Pierson of Hunt.
Cottrell.	Pickett.
Crawford of	Ponton.
Robertson.	Ragland.
Crawford of Young.	Ramsey.
Cunningham.	Randolph.
Daugherty.	Reese.
Davis of Brown.	Rice.
Davis of	Rieger.
San Augustine.	Roberts.
Duff.	Robertson of Bell.
Edwards.	Robertson of
Egan.	Williamson.
Fountain.	Rochelle.
Gibbs.	Rowland.
Gilliam.	Russell.
Glenn.	Sanders.
Gray.	Sanford.
Green.	Schlick.
Grisham.	Seabury.
Guinn.	Sevier.
Hagan.	Shannon.
Hancock.	Smith.
Harris.	Standifer.
Hemphill.	Stell.
Holsey.	Stollenwerck.
Hudspeth.	Strother.
Hurt.	Talbot.
Isaacks.	Tarkington.
Jackson.	Terrell of Travis.
Johnson.	Tharp.
Knight.	Timon.
Kubena.	Trice.
Kyle.	Weinert.
Linn.	Williams.
Love.	Witcher.
Low.	Woods.
Marsh.	Wooten.
Mays.	Worsham.
Middlebrook.	York.
Miller of Howard.	

Absent.

Ainsworth.	Jones.
English.	Meitzen.
Fowler.	Miller of Milam.
Griggs.	Mulkey.
Hendrick.	Onion.
Hodges.	Schluter.
Hoskins.	

Absent—Excused.

Anthony.	Stewart.
Blalock.	Stokes.
Bridgers.	Terrell of
Meachum.	McLennan.
Nicholson.	Ware.
Potter.	